

STAYED, STANDARD

**United States District Court  
Eastern District of Pennsylvania (Philadelphia)  
CIVIL DOCKET FOR CASE #: 2:19-cv-01401-TJS**

THE WOLK LAW FIRM v. UNITED STATES OF AMERICA  
NATIONAL TRANSPORTATION SAFETY BOARD  
Assigned to: HONORABLE TIMOTHY J. SAVAGE  
Cause: 05:552 Freedom of Information Act

Date Filed: 04/02/2019  
Jury Demand: None  
Nature of Suit: 895 Other Statutes:  
Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**THE WOLK LAW FIRM**  
*also known as*  
ARTHUR ALAN WOLK ASSOCIATES

represented by **CYNTHIA MARIE DEVERS**  
THE WOLK LAW FIRM  
1710-12 LOCUST ST  
PHILADELPHIA, PA 19103  
215-545-4220  
Email: [cdevers@airlaw.com](mailto:cdevers@airlaw.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**MICHAEL S. MISKA**  
THE WOLK LAW FIRM  
1710-12 LOCUST STREET  
PHILADELPHIA, PA 19103  
215-545-4220  
Email: [mmiska@airlaw.com](mailto:mmiska@airlaw.com)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**UNITED STATES OF AMERICA  
NATIONAL TRANSPORTATION  
SAFETY BOARD**

represented by **STACEY L.B. SMITH**  
U.S. ATTORNEY'S OFFICE  
615 CHESTNUT ST., STE 1250  
PHILADELPHIA, PA 19106  
215-861-8348  
Email: [stacey.smith@usdoj.gov](mailto:stacey.smith@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
04/02/2019	<u>1</u>	COMPLAINT against UNITED STATES OF AMERICA NATIONAL TRANSPORTATION SAFETY BOARD (Filing fee \$400.00 receipt number PPE195890.), filed by THE WOLK LAW FIRM. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Designation Form, # <u>3</u> Case Management Track Form)(kw, ) (Entered: 04/03/2019)
04/02/2019		(3) Summons Issued as to UNITED STATES OF AMERICA NATIONAL TRANSPORTATION SAFETY BOARD, U.S. Attorney and U.S. Attorney General. Forwarded To: counsel on 4/3/19. (kw, ) (Entered: 04/03/2019)
04/08/2019	<u>2</u>	Praecipe for Alias Summons by THE WOLK LAW FIRM. (DEVERS, CYNTHIA) (Entered: 04/08/2019)
04/08/2019		1 Summons Issued as to UNITED STATES OF AMERICA NATIONAL TRANSPORTATION SAFETY BOARD forwarded to Plaintiff's Counsel on 4/8/19. (rf, ) (Entered: 04/09/2019)
04/11/2019	<u>3</u>	Acceptance of Service by U.S. Attorney Re: accepted summons and complaint on behalf of the United States Attorney (only). (sg, ) (Entered: 04/12/2019)

04/26/2019	<u>4</u>	AFFIDAVIT of Service re: served Complaint upon Office of General Counsel, NTSB by Certified Mail on April 10, 2019 (DEVERS, CYNTHIA) (Entered: 04/26/2019)
04/26/2019	<u>5</u>	AFFIDAVIT of Service re: served Complaint upon U.S. Attorney's Office by Certified Mail on April 10, 2019 (DEVERS, CYNTHIA) (Entered: 04/26/2019)
04/26/2019	<u>6</u>	AFFIDAVIT of Service re: served Complaint upon William Barr, Esquire, Attorney General of US by Certified Mail on April 18, 2019 (DEVERS, CYNTHIA) (Entered: 04/26/2019)
05/06/2019	<u>7</u>	NOTICE of Appearance by MICHAEL S. MISKA on behalf of THE WOLK LAW FIRM with Certificate of Service(MISKA, MICHAEL) (Entered: 05/06/2019)
05/31/2019	<u>8</u>	STIPULATION to Amend Complaint by THE WOLK LAW FIRM. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L)(DEVERS, CYNTHIA) (ATTY TO RESUBMIT AMENDED COMPLAINT IN HARD COPY) Modified on 6/3/2019 (md). (Entered: 05/31/2019)
06/03/2019	<u>9</u>	AMENDED COMPLAINT against UNITED STATES OF AMERICA NATIONAL TRANSPORTATION SAFETY BOARD filed by THE WOLK LAW FIRM, EXHIBITS. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit)(rf, ) (Entered: 06/04/2019)
06/18/2019	<u>10</u>	ORDER THAT THIS CASE IS REFERRED TO THE ASSIGNMENT CLERK FOR REASSIGNMENT BY RANDOM SELECTION IN THE SAME MANNER AS IF THE CASE WERE A NEWLY FILED CASE, ETC. SIGNED BY HONORABLE EDUARDO C. ROBRENO ON 06/18/2019. 06/18/2019 ENTERED AND COPIES E-MAILED.(nds) (Entered: 06/18/2019)
06/19/2019	<u>11</u>	ORDER THAT THIS CASE IS REASSIGNED FROM HONORABLE EDUARDO C. ROBRENO TO HONORABLE TIMOTHY J. SAVAGE FOR ALL FURTHER PROCEEDINGS. SIGNED BY CLERK OF COURT KATE BARKMAN, CLERK OF COURT ON 6/18/19. 6/20/19 ENTERED AND COPIES E-MAILED. (va, ) (Entered: 06/20/2019)
06/26/2019	<u>12</u>	ORDER THAT PRETRIAL CONFERENCE SET FOR 7/16/2019 09:30 AM. SIGNED BY HONORABLE TIMOTHY J. SAVAGE ON 6/26/19. 6/26/19 ENTERED AND COPIES E-MAILED.(rf, ) (Entered: 06/26/2019)
07/03/2019	<u>13</u>	ORDER THAT DEFENDANT SHALL RESPOND TO THE COMPLAINT NO LATER THAN 7/19/19. SIGNED BY HONORABLE TIMOTHY J. SAVAGE ON 7/3/19. 7/3/19 ENTERED AND COPIES E-MAILED.(rf, ) (Entered: 07/03/2019)
07/10/2019	<u>14</u>	Report Of <i>Rule 26(f) Meeting</i> by UNITED STATES OF AMERICA NATIONAL TRANSPORTATION SAFETY BOARD. (SMITH, STACEY) (Entered: 07/10/2019)
07/16/2019	<u>15</u>	Minute Entry – Report of Rule 16 Conference for proceedings held before HONORABLE TIMOTHY J. SAVAGE and all counsel on 7/16/19. (kw, ) (Entered: 07/17/2019)
07/19/2019	<u>16</u>	MOTION to Dismiss ( <i>Partially</i> ) filed by UNITED STATES OF AMERICA NATIONAL TRANSPORTATION SAFETY BOARD.Memorandum, Certificate of Service.(SMITH, STACEY) (Entered: 07/19/2019)
07/19/2019	<u>17</u>	MOTION to Stay <i>Pursuant to 5 U.S.C. § 552(a)(6)(C)</i> filed by UNITED STATES OF AMERICA NATIONAL TRANSPORTATION SAFETY BOARD.Memorandum, Certificate of Service. (Attachments: # <u>1</u> Exhibit 1)(SMITH, STACEY) (Entered: 07/19/2019)
08/02/2019	<u>18</u>	RESPONSE to Motion re <u>17</u> MOTION to Stay <i>Pursuant to 5 U.S.C. § 552(a)(6)(C)</i> filed by THE WOLK LAW FIRM. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R)(MISKA, MICHAEL) (Entered: 08/02/2019)

08/02/2019	<u>19</u>	RESPONSE to Motion re <u>16</u> MOTION to Dismiss ( <i>Partially</i> ) filed by THE WOLK LAW FIRM. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R)(MISKA, MICHAEL) (Entered: 08/02/2019)
08/09/2019	<u>20</u>	RESPONSE in Support re <u>16</u> MOTION to Dismiss ( <i>Partially</i> ) <u>2</u> <i>First Amended Complaint</i> filed by UNITED STATES OF AMERICA NATIONAL TRANSPORTATION SAFETY BOARD. (SMITH, STACEY) (Entered: 08/09/2019)
08/09/2019	<u>21</u>	RESPONSE in Support re <u>17</u> MOTION to Stay <i>Pursuant to 5 U.S.C. § 552(a)(6)(C)</i> filed by UNITED STATES OF AMERICA NATIONAL TRANSPORTATION SAFETY BOARD. (SMITH, STACEY) (Entered: 08/09/2019)
10/10/2019	<u>22</u>	MEMORANDUM AND/OR OPINION. SIGNED BY HONORABLE TIMOTHY J. SAVAGE ON 10/10/19. 10/10/19 ENTERED AND COPIES E-MAILED.(rf, ) (Entered: 10/10/2019)
10/10/2019	<u>23</u>	MEMORANDUM AND ORDER THAT MOTION TO PARTIALLY DISMISS (DOC. 16) IS GRANTED. FURTHER ORDERED THAT COUNTS I AND II OF THE PLAINTIFFS FIRST AMENDED COMPLAINT ARE DISMISSED. SIGNED BY HONORABLE TIMOTHY J. SAVAGE ON 10/10/19. 10/10/19 ENTERED AND COPIES E-MAILED.(rf, ) (Entered: 10/10/2019)
10/10/2019	<u>24</u>	MEMORANDUM AND ORDER THAT ALL PROCEEDINGS ARE STAYED. THE CLERK SHALL PLACE CASE IN SUSPENSE. DEFENDANT SHALL FILE A STATUS REPORT REGARDING THE PLAINTIFFS FOIA REQUESTS EVERY 60 DAYS. WITHIN 10 DAYS OF FINALLY PROCESSING THE PLAINTIFFS FOIA REQUESTS, DEFENDANT SHALL ADVISE THE COURT THAT IT HAS DONE SO. SIGNED BY HONORABLE TIMOTHY J. SAVAGE ON 10/10/19. 10/10/19 ENTERED AND COPIES E-MAILED.(rf, ) (Entered: 10/10/2019)